

**PENN TOWNSHIP REVIEW CHECKLIST
LAND DISTURBANCE ACTIVITY PERMIT PROCEDURES AND REQUIREMENTS**

Name of Project: _____ Date Project Received by EADS: _____ Developer's Contact Person: _____
 Project Plans _____ Project Review _____ Date _____
 Reviewed by: _____ Date of Review: _____ Acknowledged: _____ Acknowledged: _____ Developer's Email Address: _____

Code Section	Code Requirement	Plans Meet Code	Plans Do Not Meet Code	Other	Comments, if any	Sheet/s on which Requirement is Met	Developer's Comments, if any
144-13	Land disturbance activity permit requirements.						
144-13 A	It shall be unlawful for any person to undertake or to cause to be undertaken any land disturbance activity anywhere within the Township of Penn unless a permit has been obtained from the Code Official.						
144-13 B	If a point source discharge will not occur, a land disturbance permit will not be required in the following situations:						
144-13 B(1)	An excavation which does not exceed five feet in vertical depth at its deepest point measured from the natural ground surface if the grading does not cover an area more than 20% of the site, does not exceed 6,000 square feet, or does not exceed 250 cubic yards. This exception shall not affect the applicability of this chapter or the requirement of a grading permit for any fill made with the material from such excavation, unless such fill is within the following subsection.						
144-13 B(2)	A fill which does not exceed five feet in vertical depth at its deepest point measured from the natural ground surface if the grading does not cover an area more than 20% of the site, does not exceed 6,000 square feet, or does not exceed 250 cubic yards, provided that the surfaces of such fills do not have a slope at any point steeper than five horizontal to one vertical.						

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144-13 B(3)	An excavation for basements and footings of a building, swimming pools, or underground structures authorized by a building permit and excavation of a driveway between a building site and the street where plot plans attached to the building permit indicate existing and proposed contours; provided, however, that a permit is required for excavation of a driveway between the building site and the street when conditions other than those set forth in Subsections B(1) and (2) above make such permit necessary. This exception shall not affect the applicability of this chapter to or the requirement of a grading permit for any fill made with the material from such excavation, unless such fill is within the previous subsection. A grading permit shall not be required for temporary stockpiling on the same site of the material from such excavation.																	
144-13 B(4)	<p>A single-family house site where the maximum slope between property lines or the maximum excavation or fill, exclusive of the situations referred to in the previous subsection, do not exceed the slopes or quantities set forth:</p> <table border="1"> <thead> <tr> <th>Area of a single-family house site to be graded (sq.ft.)</th> <th>Max. slope without a permit (percentage)</th> <th>Max. excavation without a permit (cu.yds.)</th> </tr> </thead> <tbody> <tr> <td><12,000</td> <td>12%</td> <td>100</td> </tr> <tr> <td>12,000 - 30,000</td> <td>15%</td> <td>200</td> </tr> <tr> <td>>30,000</td> <td>20%</td> <td>250</td> </tr> </tbody> </table>	Area of a single-family house site to be graded (sq.ft.)	Max. slope without a permit (percentage)	Max. excavation without a permit (cu.yds.)	<12,000	12%	100	12,000 - 30,000	15%	200	>30,000	20%	250					
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144-14	Land disturbance activity application procedures and requirements.						
144-14 A	Application. Every applicant for a permit shall file a written application with the Code Official. Such application shall:						
144-14 A(1)	Describe the land on which the proposed work is to be done, by lot, block, tract, or street address, or similar description that will readily identify and definitely locate the proposed work.						
144-14 A(2)	Be accompanied by plans and specifications prepared by a registered professional engineer or surveyor:						
144-14 A(2)(a)	A contour map showing the existing and proposed contours at a scale of one inch equals 50 feet and a contour interval of not less than two feet.						
144-14 A(2)(b)	A plan showing cross sections of the proposed cut on fifty-foot intervals which show the method of benching both cut and/or fill. Under no circumstances shall there be less than two cross sections for each property involved under said permit.						
144-14 A(2)(c)	A plot plan showing the location of the grading, boundaries, lot lines, neighboring streets and rights-of-way, existing and proposed buildings, existing water and sanitary lines, storm drainage, existing utility lines, existing trees 10 inches and over in diameter (measured two feet above the ground) and other data to show the location of all work.						
144-14 A(2)(d)	Description and classification of the soils located on the site.						
144-14 A(2)(e)	Details and location of watercourses and tributaries (either named or unnamed).						

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144-14 A(2)(f)	Area and details of paving and any proposed drainage structures and pipes.						
144-14 A(2)(g)	Details of walls and cribbing.						
144-14 A(2)(h)	Details of bridge and/or culverts required to cross over watercourses.						
144-14 A(2)(i)	Nature of fill material.						
144-14 A(2)(j)	Any such other information as the Code Official may require to carry out the purpose of this chapter.						
144-14 A(2)(k)	All plans shall be dated and shall bear the name and seal of the registered professional engineer who prepared the same, the name of the applicant, and the name of the owner of the land.						
144-14 A(2)(l)	All plans shall be submitted in triplicate.						
144-14 A(2)(m)	All plans shall include detailed drawings of an erosion and sedimentation control plan approved by the Westmoreland County Conservation District.						
144-14 A(3)	State the estimated dates of the starting and completion of the grading work.						
144-14 A(4)	State the purpose for which the grading application is filed.						
144-14 A(5)	The Code Official may waive the requirement of any or all plans and specifications listed in the previous subsection if he finds that the information on the application is sufficient to show that the work will conform to the provisions of this chapter.						
144-14 B	Issuance of permit.						
144-14 B(1)	The Code Official shall issue a permit only after it has been determined that the proposed work to be undertaken will be in conformance with the requirements of this chapter and other applicable codes and ordinances.						

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144-14 B(2)	Prior to the issuance of any permit, the Code Official shall review the application for the permit to determine if all other necessary government permits required by state and federal laws have been obtained, such as those required by the Pennsylvania Sewage Facilities Act, Act 537 of 1967, as amended; the Pennsylvania Dam Safety and Encroachments Act, Act 325 of 1978, as amended; the Pennsylvania Clean Streams Law, Act 394 of 1937, as amended; the United States Clean Water Act, Section 404, 33 U.S.C. §1344; and the Pennsylvania One Call System, Act 187 of 1996, as amended. No permit shall be issued until this determination has been made.						
144-14 B(3)	No encroachment, alteration, or improvement of any kind shall be made to any watercourse until all adjacent municipalities which may be affected by such action have been notified by the Township of Penn and until all required permits or approvals have been first obtained from the Department of Environmental Protection, Bureau of Dams, Waterways and Wetlands. In addition, the Federal Flood Insurance Code Official and Pennsylvania Department of Community and Economic Development, Bureau of Community Planning, shall be notified by the Township of Penn prior to any alteration or relocation of any watercourse.						
144-14 B(4)	The Code Official shall act on the application within 30 days of receipt of a completed application. If the Code Official does not act upon said application within 30 days, the permit shall be deemed approved.						

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144-14 B(5)	The permit and all plans and specifications shall be kept at the work site during the progress of the work.						
144-14 C	Denial of permit.						
144-14 C(1)	Where, in the opinion of the Code Official, the work as proposed by the applicant is likely to endanger any person, any property, or any street or way, the Code Official shall deny the permit.						
144-14 C(2)	In determining whether the proposed work is likely to endanger property, streets or alleys, or streams, or create hazardous situations, or damage the ecology of the area, the Code Official shall give due consideration to, but shall not be limited to, possible saturation by rains, earth movements, runoff of surface waters, and subsurface conditions, such as the stratification and faulting of rock, and the nature and type of the soil, rock, or other minerals and extent of removal, if any.						
144-14 D	Appeal of denial of permit.						
144-14 D(1)	The applicant may appeal the decision of the Code Official to the Township, which may consider alternate methods, standards, or materials proposed by the applicant.						
144-14 D(2)	Any request for modifications of the applicable stormwater management standards, specifically the standards governing allowable peak rate stormwater runoff, shall be determined in accordance with the Penn Township Floodplain Management Ordinance (Chapter 86 of the Code of the Township of Penn).						

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144-14 E	Fees. Before issuance of a permit, the Code Official shall collect a permit fee in the amount as set forth by the Township of Penn. The Township shall adopt, by separate resolution, the applicable fee schedule.						
144-14 F	Bond.						
144-14 F(1)	Before issuance of a permit, the applicant shall post a bond, with corporate surety or other approved security, in an amount of 25% of the estimated cost of the work to guarantee the completion of said work, which shall include the estimated cost of surface treatment, drainage, clean fill, slope stability, and an erosion and sedimentation control plan contemplated by the permit.						
144-14 F(2)	In the event that the permit will affect more than 50,000 square feet or more than 30,000 cubic yards, then a security agreement shall be required by the Board of Commissioners of the Township of Penn, in accordance with a security agreement supplied by the Township of Penn.						
144-14 F(3)	No activity shall commence and no permit shall be issued until the formal agreement, if required, is signed by both parties and, in all cases, the bond is posted.						

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144-14 G	Expiration of permit. Every permit shall expire and become null and void if the work authorized by such permit has not been commenced within six months or is not completed within one year from the date of issuance. The Code Official may, if the permit holder presents satisfactory evidence in writing that unusual difficulties have prevented the work from being started or completed within the specified time limits, grant a reasonable extension of time. The application for the extension of time shall be made before the date of expiration of the permit.						
144-15	Permit requirements by other governmental agencies. The following permit requirements may apply to certain regulated earth disturbance activities and must be met prior to commencement of regulated earth disturbance activities, as applicable:						
144-15 A	All regulated earth disturbance activities subject to permit requirements by DEP under regulations of 25 PA Code Chapter 102.						
144-15 B	Work within natural drainageways subject to permit by DEP under 25 PA Code Chapter 105.						
144-15 C	Any stormwater management facility that would be located in or adjacent to surface waters of the commonwealth, including wetlands, subject to permit by DEP under 25 PA Code Chapter 105.						
144-15 D	Any stormwater management facility that would be located on a state highway right-of-way, or require access from a state highway, shall be subject to approval by the Pennsylvania Department of Transportation (PennDOT).						

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144-15 E	Culverts, bridges, storm sewers, or any other facilities which must pass or convey flows from the tributary area and any facility which may constitute a dam subject to permit by DEP under 25 PA Code Chapter 105.						
144-16	Requirement for approved stormwater management project plan.						
144-16 A	Any person conducting any land development activities in the Township involving earth disturbance 5,000 square feet or greater shall submit and obtain approval from the Township of a project plan meeting the requirements of this chapter, prior to commencing the activity.						
144-16 B	The project plan shall describe the BMP's for erosion and sediment control, and the postconstruction BMP's for water quality protection.						
144-16 C	The project plan shall follow the design criteria and the calculation methodology contained in §§144-12 and 144-11, respectively.						
144-16 D	The requirements in this section apply to the total land development project, even if it is to take place in stages.						
144-16 E	All redevelopment projects shall evaluate the feasibility of reducing site impervious area by at least 20%. Where project site conditions prevent the reduction of impervious area, then stormwater BMP's shall be evaluated to provide qualitative controls for at least 20% of the site's impervious area.						

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144-17	Erosion and sediment control during regulated earth disturbance activities.						
144-17 A	Regulated earth disturbance activities of 5,000 square feet or greater require design, implementation, and maintenance of erosion and sediment control BMP's that control erosion and prevent sediment pollution during the regulated earth disturbance activities. No regulated earth disturbance activities within the Township shall commence until approval by the Township of an erosion and sediment control plan for construction activities.						
144-17 B	The DEP has regulations that require an erosion and sediment control plan for any earth disturbance activity of 5,000 square feet or more, under 25 PA Code §102.4(b).						
144-17 C	In addition, under 25 PA Code Chapter 92, a DEP NPDES construction activities permit is required for regulated earth disturbance activities.						
144-17 D	Evidence of any necessary permit(s) for regulated earth disturbance activities from the appropriate DEP regional office or County Conservation District must be provided to the Township. The issuance of an NPDES construction permit [or permit coverage under the statewide general permit (PAG-2)] satisfies the requirements of Subsection A, above.						
144-17 E	A copy of the erosion and sediment control plan and any required permit, as required by DEP regulations, shall be available at the project site at all times.						

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